

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BIGRAM ZAYAS, JR. P/K/A DVLP)	
Plaintiffs)	Civil Action No.
)	
v.)	
CASH MONEY RECORDS, INC.)	COMPLAINT
Defendant)	
)	

Bigram Zayas, Jr. by his attorneys Brown & Rosen LLC, as and for its complaint against Defendant alleges as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction of this action as the amount in controversy, exclusive of interest and costs, exceeds the sum of 200,000.00. Jurisdiction is also proper pursuant to diversity jurisdiction. Defendant purposefully availed itself of the privilege of conducting activities in the State of New York and has established minimum contacts sufficient to confer jurisdiction over said Defendant. The assumption of jurisdiction will not offend traditional notions of fair play and substantial justice and is consistent with the constitutional requirements of due process.

PARTIES

2. Plaintiff Bigram Zaya Jr. s p/k/a DVLP ("DVLP") has a business address of 810 7th Ave, Suite 1701, New York, NY 10019.

3. Upon information and belief, Cash Money Records, Inc. ("CMR") is a Louisiana corporation with a mailing address in care of a P.O. Box in Louisiana. CMR presently is not in good standing with the State of Louisiana due to its failure to file its annual report with Louisiana Secretary of State Office. CMR's registered office was discontinued in the State of Louisiana. See Exhibit "A" and website below. https://coraweb.sos.la.gov/CommercialSearch/CommercialSearchDetails.aspx?CharterID=396803_K7D52. CMR's owner Bryan Williams ("Baby/Birdman") has an address of 6200 Eastover Drive, New Orleans, LA 70128, however, CMR substantially conducts its business in the State of New York through Edward R. Grauer, Esq. Law Office of Edward R. Grauer, P.C., 1755 Broadway, 2nd Floor, New York, NY 10019 ("Grauer").

FACTS

4. Stephen Hacker ("Hacker") is the personal manager for DVLP. DVLP and CMR have a ten (10) year history of making great music for various CMR artists

including LiL Wayne (“Wayne”). DVLP is a well-known music producer/writer and was the producer of many of Wayne’s notable songs, including “Fireman”.

5. From September 2014 through January 2015, Hacker and Baby/Birdman were communicating in regards to numerous issues associated with copyright infringement and payments due DVLP.

6. The parties agreed that CMR would pay Two Hundred Thousand Dollars (\$200,000.00) to DVLP to resolve the open issues. See Exhibit “B”.

7. On numerous occasions between September 2014 and July 2015, Baby/Birdman informed Hacker multiple times that the sum of Two Hundred Thousand Dollars (\$200,000.00) would be wired in order to resolve the open matters. Time and time again, no wire was ever received. Attached at Exhibit “B” are text messages between Hacker and Baby/Birdman memorializing the understanding and the forthcoming payment due DVLP.

8. From February through May 2015, no payment was made by CMR despite assurances from Baby/Birdman that Grauer would be making the payment. For example, on February 4, 2015 via text message, Baby/Birdman said to Hacker:

“Yu gone get tht 200k”

“Ed on top of tht”

“Tha new situation with UNI they takin over
all payments. Pass and goin forward”

See Exhibit B.

9. On May 12, 2015, a formal demand letter for payment was sent to Grauer. See Exhibit “C”.

10. Despite the demand, no payment has been received.

11. On numerous occasions prior to the formal demand letter and prior to the filing of the instant litigation, Baby/Birdman indicated that wires would be forthcoming to pay the debt but they never arrived.

12. CMR through Grauer also indicated that payment would be made in the amount of Two Hundred Thousand Dollars (\$200,000.00) after the demand letter was sent to Grauer. On June 15, 2015, Grauer informed DVLP that he was working on getting the invoice for Two Hundred Thousand Dollars (\$200,000.00) paid “ASAP”. See Exhibit D.

13. To date, the money has not been paid.

14. The actions of CMR has harmed DVLP in his business.

COUNT I- BREACH OF CONTRACT

15. Plaintiff repeats each allegation in paragraphs 1-14 above.
16. The parties have a fully enforceable contract.
17. CMR had a duty to pay DVLP and have failed to do so.
18. CMR has breached its contract with DVLP.

**COUNT II- VIOLATION OF THE COVENANT
OF GOOD FAITH AND FAIR DEALING**

19. Plaintiff repeats each allegation in paragraphs 1-18 above.
20. As early as 1933, a New York case suggested that in every contract there is an implied covenant to refrain from conduct calculated to or having the effect of injuring or destroying the rights of the other party to receive the fruits of the contract; this was called “good faith.” *Kirke La Shelle Co. v. Paul Armstrong Co.*, 263 N.Y. 79, 188 N.E. 163 (1933).
21. The Restatement (Second) of Contracts, § 205 provides “every contract imposes on each party a duty of good faith and fair dealing in its performance and its enforcement.”
22. CMR has violated the covenant of good faith and continues to fail to pay the Plaintiff.
23. Upon information and belief, CMR presently holds assets and cash on hand to pay DVLP, however CMR chooses not to pay and to force DVLP to file the instant litigation.
24. Such actions harmed DVLP in his business and violate the covenant of good faith and fair dealing.

PLAINTIFF HEREBY DEMANDS TRIAL BY JURY

The Plaintiff demands,

1. Judgment of \$200,000.00 on Count I;
2. Judgment of \$200,000.00 on Count II;
3. Interest;
4. Attorney's Fees;
5. Treble and punitive damages; and,
6. Any other relief this Court deems just and equitable.

BIGRAM ZAYAS P/K/A DVLP
By His Attorneys,

A handwritten signature in black ink, appearing to read 'Chris Brown', is written over a horizontal line.

Christopher Brown, NY Bar # 2953891
Brown & Rosen LLC
Attorneys At Law
100 State Street, Suite 900
Boston, MA 02109
617-728-9111 (T)
617-695-3202 (F)
cbrown@brownrosen.com

Dated: August 12, 2015

EXHIBIT A

CASH MONEY RECORDS, INC.

Business Corporation

. Active

Previous Names**Business:** CASH MONEY RECORDS, INC.**Charter Number:** 34411621D**Registration Date:** 7/13/1992**Domicile Address**

REGISTERED OFFICE DISCONTINUED 06/10/15

Mailing Address

P. O. BOX 871120

NEW ORLEANS, LA 70187

Principal Office Address

DANIEL DAVILLIER, ESQ.

1010 COMMON ST. #2510

NEW ORLEANS, LA 70112

Status**Status:** Active**Annual Report Status:** Not In Good Standing for failure to file Annual Report**File Date:** 7/13/1992**Last Report Filed:** 11/12/2014**Type:** Business Corporation**Officer(s)****Additional Officers: No****Officer:** RONALD WILLIAMS**Title:** President, Director**Address 1:** 6200 EASTOVER DR**City, State, Zip:** NEW ORLEANS, LA 70128**Officer:** BRYAN WILLIAMS**Title:** Secretary/Treasurer, Vice-President**Address 1:** 6200 EASTOVER DR**City, State, Zip:** NEW ORLEANS, LA 70128

EXHIBIT B

Baby Birdman

Sep 23, 2014, 5:53 PM

Baby Birdman

Who this

5:59 PM

Oct 2, 2014, 2:53 PM

Stephen Hacker

Who else? Your lawyers called me regarding the DVLP \$ issues but their point escaped me. If I'm not right about the figures and you are, then what are your figures?

2:53 PM

Nov 5, 2014, 6:53 PM

Stephen Hacker

Hey it's Spliff. I reached out to you via email this morning and didn't hear back. In case you're having a communication problem, I'm using a different path so when you read this u know I want to talk to u. It's ur move if you want this stuff to hang out or have it resolved.

6:53 PM

Baby Birdman

Blk berry broke talk tomorrow

6:57 PM

Nov 11, 2014, 6:57 PM

Stephen Hacker

It's now Tuesday and I haven't heard from u. So we're on the same page, here's a link to the DVLP/Wayne video <http://youtu.be/yHn9JME42Mw> released by CMR which he was never paid for. The track and video was bundled on the 10 Years of Bling album. Considering the new work D got on deck, u said u wanted to take care of the back catalog he wasn't paid for by the label. I'm willing to make it go away but you gotta work with me.

6:57 PM

Baby Birdman

Told tu hit me on this number blk berry gone lets talk 2clk tomorrow and getit done

6:59 PM

Baby Birdman

Wht songs yu talkin bout send me a list

6:59 PM

Stephen Hacker

I'll try you in the morning

7:02 PM

Baby Birdman

K

7:14 PM

Nov 13, 2014, 11:16 AM

Stephen Hacker

Called u twice. Let's talk

11:16 AM

Baby Birdman

Kall yu 2clk

12:04 PM

Baby Birdman

Kall me 4 clk

2:53 PM

Stephen Hacker

Bet

3:03 PM

Stephen Hacker

Hey I'm trying to work with u but ur making it very difficult. I just found out that OrangeFactory is bringing an action against Cmr for nonpayment and their attorney wants to represent us immediately with a very generous offer that's impossible to refuse. It might be in your best interest to avoid that

10:20 PM

Baby Birdman

Richgang@me.com

10:24 PM

Nov 18, 2014, 12:10 PM

Baby Birdman

Whitdo im hit yu today 3clk

12:10 PM

Baby Birdman

430

2:41 PM

Baby Birdman

Hit me noon tomorrow homey

11:49 PM

Nov 20, 2014, 11:49 AM

Baby Birdman

Give me time to Kall yu

11:49 AM

Stephen Hacker

Yesterday. I'm standing by.

12:10 PM

Nov 26, 2014, 11:36 AM

Baby Birdman

Get yu paid wednesday kmin

11:36 AM

Baby Birdman

Next week

11:36 AM

Dec 4, 2014, 3:08 PM

Stephen Hacker

I know u got a lot of pressure coming down on your head right now and its affecting your GAME. It's always been a way with smart ppl to take care of the little stuff so they can focus on the big stuff since now u got a problem w Wayne too. so u should take care of this 120 you owe us yesterday cuz you'll look better and you'll feel better

3:08 PM

Baby Birdman

Got yu

3:10 PM

Stephen Hacker

Show me

3:11 PM

Baby Birdman

Putin together today send info and name

3:15 PM

Stephen Hacker

Bigram Zayas Jr
Chase
Routing 021000021
a/c 877-203810
\$120,000.00

3:30 PM

Stephen Hacker

Confirm when transferred

3:50 PM

Dec 5, 2014, 4:19 PM

Stephan Hacker

You sent me a bunch of messages last week about us talking and sending the money u owe but u never showed up. Man I don't understand what ur doing but it seems every week I'm hearing abt someone else that's real solid with you filing a legal action to get it right that ends up getting bad press. Today I just heard about another situation about to come down on u. Maybe u enjoy spending more on the lawsuits piling up one after the other. I know u call yourself the #1 Stunna and u got ur own style how to handle things. I don't wanna tell u ur business, but in some of these situations I had a hook in that would've worked for u. I don't understand what ur doing bc ur missing that move man. I'm a young exec with a lot of action that could be makin money for u. Rather than work with me, ur playin. I could've helped u out big time. I don't get it I thought you were smarter than that.

4:19 PM

Baby Birdman

Gettin yu paid homey all THT other shit savit

4:25 PM

Baby Birdman

I'm getting yu paid

4:25 PM

Baby Birdman

Afta yu get paid its whteva yu wanna do

4:26 PM

Baby Birdman

Don't need help lets jus hussle

4:26 PM

Baby Birdman

Gettin your money process yu havit shortly diff

4:27 PM

Dec 10, 2014, 11:11 AM

Stephan Hacker

Reminder

11:11 AM

Baby Birdman

Pushing thru need like till tues

2:48 PM

Stephan Hacker

Take all the time u want, Tuesday or whenever

11:07 PM

Stephan Hacker

I told you before we could do some good work together and I told u I had a hook in to calm things down. Previously I been putting your fires out without hiping u to the situation bc ur Stunnaman. There's another bomb with ur name attached to it ready to go off for copyright infringement from dvlp on your hit single "Always Strapped" and if u want me to shoot it down, it'll have to be after Tuesday or whenever.

11:17 PM

Dec 15, 2014, 8:37 PM

Stephan Hacker

I think you ought to know Mtv News reached out for an interview about the behind the scenes royalties for producers and artists with CashMoney records. You know how I feel about it

8:37 PM

Stephan Hacker

You have exposure

8:37 PM

Baby Birdman

Believe tht fam

8:38 PM

Baby Birdman

Guaranteed yu get tht \$\$\$\$

8:38 PM

Baby Birdman

This week but yu knw whitis

8:38 PM

Dec 31, 2014, 2:50 PM

Stephen Hacker

I got a very nice New Years gift coming your way 5 star. I think you're gonna like it

2:50 PM

Baby Birdman

Stopit man

2:50 PM

Stephen Hacker

It's not me

2:52 PM

Baby Birdman

I fuk with Yu we did a lot together both ways

2:52 PM

Stephen Hacker

No one would love to believe u more than me but its beyond that

2:54 PM

Baby Birdman

I'm clean us up homey ..get fresh start

3:44 PM

Jan 4, 2015, 6:19 PM

Stephen Hacker

I'll save u the trip to Fedex. I'm in Miami until Tuesday night. Reach into your stash I'm picking up envelopes. You can clean it all up before I leave. Reminder... it's 120k for back royalties on LilWayne "BluntBlowin", "Beat The Shit", buyout of all rights for "The Only Reason".... and now copyright infringement for "Always Strapped" brings it up to 200k. Clear your head out for the new year.

6:19 PM

Jan 5, 2015, 2:26 PM

Stephen Hacker

I texted u yesterday that I'm in town. You said u wanted to clean this up

2:26 PM

Baby Birdman

I'm bakk tonite first thang in am

2:35 PM

Baby Birdman

Where Yu wrkin at wht studio

2:36 PM

Stephen Hacker

I got a bunch of meetings down here but I'm making myself available for u. Do u want to wire the money or have a check

2:38 PM

Baby Birdman

Send wire info

2:37 PM

Stephen Hacker

Bigram Zayas, Jr (DVL)
Chase Bank
Routing 021000021
a/c 877-203810
\$200,000.00

2:44 PM

Stephen Hacker

Fy I got a little side bet going that ur not gonna make it this time cuz there's a history of u not showing up so I'm betting against u paying.. Its a win win situation for us cuz if you pay its a win and if you don't pay its a win. If u don't pay, I collect on the bet

9:04 PM

Jan 6, 2015, 1:42 PM

Baby Birdman

How Yu get frm 100 to 200

1:42 PM

Stephen Hacker

<http://youtu.be/6tflRsSvos>

1:50 PM

Stephen Hacker

I told you about this before in email form and text nevertheless, u got obvious copyright infringement on the single "always strapped"

1:54 PM

Baby Birdman

Stop findin bullshit on us man shit 10years old

2:02 PM

Stephen Hacker

Owing us money ain't bullshit it's for real

2:04 PM

Stephen Hacker

By u not paying it's costing u more. Don't put it on me

2:07 PM

Jan 8, 2015, 3:40 PM

Stephen Hacker

Yo Stunna. Never got the wire.

3:40 PM

Stephen Hacker

How u want me to answer this...U want me to put the fire out or u want me to leave it alone

3:40 PM

Stephen Hacker

AT&T LTE 1:09 PM 31% 

< All Inboxes

From: Kai Acevedo >

Hide

To: Stephen Hacker >

DVLP Interview for REVOLT TV
January 8, 2015 at 12:45 PM

Hey Stephen,

I'm working on a piece for REVOLT TV regarding the recent turmoil within the Cash Money empire, and being that DVLP has been working with Cash Money and Baby for a decade now I thought he'd be a great person to interview for the piece. The interview would cover DVLP's personal experiences doing business with Baby, his thoughts on the Lil Wayne/Baby controversy and his work on Wayne's delayed *Tha Carter V* album.

3:41 PM

Let me know your thoughts on this and if DVLP would be interested in this.

Kai
Contributor, REVOLT TV

Baby Birdman

Put it out

3:41 PM

Baby Birdman

Put that fire out

3:41 PM

Stephen Hacker

It's gonna cost u

3:42 PM

Baby Birdman

It always Do

3:41 PM

Stephen Hacker
The reason why ur the man is cuz u can pay. I don't deal with house boys 3:43 PM

Baby Birdman
For real appreciate tht kmin frm yu 4:05 PM

Stephen Hacker
If u want me to put it out this time get the wire transfer number, put it in ur pocket and don't lose it. I'm gonna need it upfront to squash it 5:38 PM

Jan 9, 2015, 1:45 PM

Baby Birdman
Wrkin onit now everybody bakk so I'm havit done quick 1:45 PM

Jan 16, 2015, 12:01 PM

Stephen Hacker
There's a new filing coming down against you. Deja vu all over again. Like the others, I could've put the fire out. 12:01 PM

Stephen Hacker
Are you gonna miss the moment to clear this one up too? I'm there for you but ur not showing up 12:02 PM

Baby Birdman
Bout to clean everythang up UNI gone pay everybody tues Wednesday this week have clean slate 12:06 PM

Stephen Hacker
Your evaluation misses the point. Universal can't pay us without a settlement agreement. What are u gonna do about that 1:20 PM

Baby Birdman
Jus gone pay yu wht I owe yull afta tht we jus gone leavit where it's at yull do. Yull I'm. Do me 1:22 PM

Baby Birdman
Let me get yu paid Afta tht we clear yull do yull thang I'm move on. Do mines I made yull alotta money I'm not dealing with this type shit nomore 1:25 PM

Baby Birdman
It's all love 1:24 PM

Baby Birdman
I'm. Pay yull I have a new system new situation goin forward and don't wanna go thru none of this shit nomore with any nigga filing on me will neva get another dollar frm me or is goin forward in our project got all new producers and anybody tht keepit solid I'm deal with them and continue wo eat with beside tht I'm shutting down in nigga with all my power 1:26 PM

Stephen Hacker
I'm glad ur catching up and moving into the 21st century. We been waiting for u 1:30 PM

Baby Birdman
I'm ready had to get my shit straight 2015 turnup 1:35 PM

Jan 20, 2015, 2:38 PM

Stephen Hacker
It's all still here. 2:39 PM

Baby Birdman
Yeah yu havit done this week bye wire 2:41 PM

Jan 28, 2015, 12:40 PM

Stephen Hucker

I heard more things are coming down on you that I could've stopped. I've stopped other things for other ppl and they greatly appreciated it, but I don't know why you don't want me to stop things for you when I can. I really don't understand

12:40 PM

Baby Birdman

Gettin yu paid in full honey on everythang ask ED im payin everybody thts owed anythang my word

1:58 PM

Feb 2, 2015, 5:16 PM

Stephen Hucker

I just read the article in Forbes I'm sure u know about it by now. That Forbes article is one of the things I was talking abt regarding putting the fire out but you were not listening. Now look at what you got. Again, I don't understand why you're rejecting my help and doing this to yourself. Maybe that's your belief and you think I'm trash talking

5:16 PM

Baby Birdman

Told yu universal process all payments thts owed to all producers real talk this week they doin. Pay out

5:20 PM

Baby Birdman

Man I don't worry bout no Forbes article im still get money make money help other niggaz get money man jus get ur payment and do yur thang and hope I wrk with yu again

5:23 PM

Baby Birdman

They got me Fukup watch this move I make FUK that game up fo real they just talkin yull read tht article in a minute shut all these bitches up

5:24 PM

Stephen Hucker

I'm glad for your sake u got a plan to deal with all the shit they're throwing at you. But you still ain't right with me. We're down years on these songs with no paperwork and you need to do right with me yesterday. Don't lose sight of that. Universal isn't gonna pay anything without a settlement agreement between us so tell your lawyer to get one to me. Don't be stupid

6:32 PM

Stephen Hucker

Reminder - You refuse to work with me and now look what u got. It would've been a lot cheaper to square me away then to spend your energy and your resources playing

6:33 PM

Baby Birdman

I'm work with yu fam

6:40 PM

Baby Birdman

And get yu ur money all ofit

6:40 PM

Baby Birdman

I'm always wrk with yu Fam

6:40 PM

Feb 4, 2015, 1:33 PM

Stephen Hucker

Listen u still owe us 200k. I didn't get the settlement agreement from EdGrauer. By u owing us that 200k, ur gonna lose 800k. It's gonna cost u 200 to make 800. Bc more shits coming and its gonna cost u in legal bills copyright takedowns and sales. More stuff I could stop. U don't find 800k in a paper bag rolling down the street.

4:30 PM

Baby Birdman

Ed knw whts owed

4:31 PM

Stephen Hucker

Get that settlement agreement for ur own sake. Have some respect for yourself. Put 600k where your mouth is and then put it in ur own pocket. I make money for ppl all the time. That's what I do.

4:31 PM

Baby Birdman

Yu gone get tht 200k

4:31 PM

Baby Birdman

Ed on top of it

4:31 PM

Baby Birdman

Tha new situation with UNI they takin over all payments. Pass and goin forward

5:19 PM

Baby Birdman

We neva have problems like Tha pass if we eva wrk together again

5:24 PM

Stephen Hacker

Have your lawyer call me

7:25 PM

Feb 6, 2015, 12:59 PM

Stephen Hacker

There's no movement on your end, you haven't cleaned the slate and you're too smart to forget 200k. In my book playing it off on Ed don't work cuz ur the bossman. I'm letting you know my man DVLP is moving forward with his deadline. I'm giving you a heads up that I can't stretch protecting u anymore and there's gonna be some unnecessary takedowns to start and press to match. I left the ball sitting in your court bc u had more than enough time to actually do something about it and save yourself a lot of money. I did u right

12:59 PM

Baby Birdman

Told Yu Ed is takin Kare ofit kall him shit GETTIN done

2:34 PM

Feb 10, 2015, 6:00 PM

Stephen Hacker

Reflections

6:00 PM

Stephen Hacker

I tried to help you and Ed hasn't done shit

6:00 PM

Baby Birdman

Send ur # have Ed kall yu rite now

6:04 PM

Stephen Hacker

3059348703

6:07 PM

May 18, 2015, 2:09 PM

Stephen Hacker

Mr. Baby. Pay attention this is important and I don't wanna blindside you

2:09 PM

Stephen Hacker

I've been texting u for over a year to prevent this from happening but u been shrugging your shoulders and coming up short. I think what it comes down to is if u got the presence of mind to satisfy me, then it all goes away yesterday. Including the stuff that hasn't happened yet. I don't like to see it because I'm ur man

2:11 PM

Baby Birdman

Is yu speaking with Ed

2:11 PM

Baby Birdman

Shit on universal now

2:11 PM

Baby Birdman

Yu need to speak with ED Whts eva it is

2:11 PM

Baby Birdman

Hit Ed Yull talkit out

2:13 PM

Stephen Harker

I know it's ur normal routine to duck and dodge or put it on someone else when you owe people money and wait to see if they file on u then drag it out to see if the legal fees will lead to a dismissal or a settlement that's less costly. That's a good strategy, it works well most of the time but not in this case, where it works against you. I know ur smart enough to pick up on that. Follow my advice in this case and you'll be a winner. Do it the old way and not only will u be a loser and thinking about how stupid you are for the rest of your life. Sometimes in order to win, u have to know how to lose

2:13 PM

Baby Birdman

Im done withit I kantFuk withit universal took over

2:15 PM

Stephen Harker

I seen all the lawyer letters u been getting and I don't think u wanna hear all that jazz. There's another way to make it all go away. The litigator who won on all your big boy cases is on our side. You're gonna lose and it's gonna be nothing but déjà vu all over again. Let me remind u, I'm your friend. We started out on the right foot and worked together standing on both feet. We don't need this to come to bad bc you're not being truthful. Send the \$200k you promised for DVLP to the account and I'll fire the attorney and that's a good start. I'm sorry it has to come to this.

2:15 PM

Baby Birdman

Yu ka sendit to me I'll sendit to legal but im. Out universal payin every body

2:18 PM

Stephen Harker

U should know the lawyers demanded my file folder which included copies of text messages of all that shit we talk about. I want u to know that becomes a matter of public record and I already have some press reporters buggin me for it but I shut em down for the moment. They laughed and said they can get it themselves from the public record. So don't be surprised if U see it in print. I don't know but I heard there may be a way for ur lawyer to seal the file and block these guys. For your eyes only, here it is...

2:18 PM

Stephen Harker



Exhibit A-Messages with Baby Birdman.pdf

2:18 PM

Stephen Harker

I'm the one doing you right and you doing us dirty. I think u should be thinking about the number it takes to square ALL our business away so we can start making more money and stop wasting money on lawyers. I know u get that.

2:19 PM

Baby Birdman

Im make sho yu grit sendit to me rite now

2:21 PM

May 20, 2015, 1:35 PM

Baby Birdman

Send me ur invoice

1:35 PM

Stephen Hacker
Why do you want the invoice now if you agreed to wire the money for DVLP over and over again and you never sent it when I previously gave you multiple breakdowns, this is going backwards and going backwards is part of the "trap". When you tell me that, I'll be happy to send you that invoice. And nothing good happens for me in the "trap"
2:30 PM


Baby Birdman
Don't Kwn who Yu think Yu be talkin to Yu gone see me one day and it want be nice my nigga. If Yu gone sendit sendit if notFuk Yu
2:32 PM

Baby Birdman
Me fukup Tha way Yu talk to a man I kan reach Yu bit Betta stop playin with me nigga if Yu gone sendit sendit kant do shit but sue wait in line with Tha rest but as a man nigga Yu gone respect me or we jus doit we gone meet its to easy
2:33 PM

Stephen Hacker
Your the one that promised to send it and didn't send it. You came up short so you can't be talking to me. And if your a man in the streets than ur a man of your word. I'm for real
2:36 PM

Baby Birdman
Ok say nomore
2:37 PM

May 21, 2015, 11:34 AM

Stephen Hacker

invoice 5-21-15 Develop.pdf
11:34 AM

Here
11:34 AM

Jun 16, 2015, 11:58 PM

Stephen Hacker
Last chance complaint being filed Monday. Act now stop it forever.
11:58 PM

Jul 21, 2015, 10:33 PM

Stephen Hacker
I'm gonna call u in 30 min. Pick up
10:33 PM

Jul 23, 2015, 11:29 AM

Stephen Hacker
I reached out to you multiple times since I'm in Miami. I gave you many opportunities but you keep turning your back on me. I don't understand it. Even when DVLP's been A1 since "Fireman". That's the way you want to be, that's okay. I don't know why u're so solid with me
11:29 AM

Baby Birdman
Neva fam you in Miami today
11:38 AM

Stephen Hacker
Yeah. Here with Dvlp
11:34 AM

Stephen Hacker
There's a new takedown coming from somebody else who's owed. If u wanna bother with stopping it, call me cuz I got leverage.
3:21 PM

Bobby Birdman

Meet with youlata today Pullup on me

3:24 PM

Bobby Birdman

Need to get tht shit to ED thou

3:24 PM

Stephen Hacker

He knows what to do

3:29 PM

Jul 24, 2015, 12:48 PM

Stephen Hacker

I understand you're not cutting us a check. OK

12:48 PM

Bobby Birdman

Pullup on me

12:50 PM

Jul 27, 2015, 2:15 PM

Stephen Hacker

Your meetings haven't turned any coin for me. Just send. You got the bank numbers

2:15 PM

Bobby Birdman

Ed havit

2:16 PM

Bobby Birdman

Wanted talk business

2:16 PM

Stephen Hacker

If he has something for me then he should call me

2:17 PM

Jul 30, 2015, 1:08 PM

Stephen Hacker

You're not paying attention to the things that I think would be important to me if I was in your shoes. Based on what's gone down before, it makes no sense for me to continue contacting you where I get the same result. Deja vu all over again. I know you don't wanna hear it.

1:08 PM

Stephen Hacker

It's always been my policy to reach out and make an effort to work with people privately rather than formally. But I don't think you're interested in doing that at all. So I'm not gonna do it any more. It's a waste of your time. If I see something coming down the pike that affects you that could be handled before the filing, I'm gonna ignore it and let you handle it your way. That's the way it is right now. I can't speak to the future.

1:09 PM

Bobby Birdman

Whteva gone happen gone happen my concern is GETTIN you this developpe money fam Whteva happens afta tht I don't knw and itiswht itis but developpe gone get cleared out

1:11 PM

Bobby Birdman

My priority

1:45 PM

Aug 3, 2015, 5:54 PM

Stephen Hacker

REMINDER

5:54 PM

EXHIBIT C

BROWN & ROSEN LLC

Attorneys At Law
100 State Street, Suite 900
Boston, MA 02109
617-728-9111 (T)
617-695-3202 (F)
www.brownrosen.com

May 12, 2015

Via Email

Jonathan D. Davis, Esq.
JONATHAN D. DAVIS, P.C.
Attorneys at Law
10 Rockefeller Plaza
Suite 1015
New York, New York 10020
jdd@jddavispc.com

Edward Grauer, Esq.
Edward Grauer, P.C.
1755 Broadway, 2nd Floor
New York, New York, 10019
egrauer@egrauerlaw.com

Re: Bigram Zayas, Jr. p/k/a DVLP f/k/a Develop v. Cash Money Records

Dear Mr. Davis and Mr. Grauer:

This office is legal counsel to Bigram Zayas, Jr. p/k/a DVLP f/k/a Develop ("Develop"). Develop is managed by Hebrew Hustle and its representative Stephen Hacker ("Hacker"). Hacker has previously contacted Attorney Grauer about this matter in February and March of 2015. The dispute has not been resolved despite numerous attempts by my client to do so. There are two main components to the claims against Cash Money Records.

The basis for the first claim is a violation of Bigram's copyright. The violation is ongoing and initially occurred when your client Cash Money Records commercially exploited a derivative work of original authorship which Bigram co-authored known as "Always Strapped" and maintains a registered copyright. It has come to my client's attention that the derivative work is being commercially exploited to the public in various forms without his consent nor a license, including but not limited to digital product delivery via internet service provider Apple/iTunes. "To bring an infringement action, a plaintiff must be the owner of a copyright, its assignee, or an exclusive licensee." *Broad. Music, hc. V. CBS Inc.*, No. 83 Civ. 5004, 1983 WL 1136, at *5 (S.D.N.Y. July 20, 1983) (citation omitted); see also *ABKCO Music, kc. v. Harrisons Music, Ltd.*, 944 F.2d 971, 980 (2d Cir. 1991) ("The legal or beneficial owner of an exclusive right under a copyright is entitled to bring actions for infringements of that right occurring during the period of its ownership.") (citing 17 U.S.C. 501(b)); *Vapac Music Publ'g, Inc. v. Tuff 'N7 Rumble Mgmt.*, No. 99 Civ. 10656, 2000 WL 1006257, at *4 (S.D.N.Y. July 19, 2000) ("By its

terms, 17 U.S.C. 411(a) requires only that a copyright be registered; it does not require that the plaintiff be the party who caused the registration to occur.”).

The second claim for “Beat The Shit” is more or less a breach of contract action whereas the breach overreached and exceeded the limitations of the licensing agreement with potential copyright implications. My client also maintains a copyright registration for this composition as well.

From October 2014 through January 2015, Hacker and Bryan “Birdman” Williams, CEO of Cash Money Records (“Birdman”), negotiated a settlement of the claims for the sum of \$200,000.00. Birdman informed Hacker that payment would be made. See Exhibit “A”. The parties have an enforceable contract, however, Cash Money Records has failed to make the settlement payment. As indicated in *Fid. & Guar. Ins. Co. v. Star Equip. Corp.*, 541 F.3d 1, 5 (1st Cir. 2008) (“[A] party to a settlement agreement may seek to enforce the agreement’s terms when the other party refuses to comply.

It is also of note that Cash Money has legally converted the funds due Develop. Conversion is the unauthorized assumption and exercise of the right of ownership over goods belonging to another to the exclusion of the owner’s rights. *Traffix, Inc. v. Herold*, 269 F. Supp. 2d 223, 228 (S.D.N.Y. 2003) (citing *Peters Griffin Woodward, Inc. v. WCSC, Inc.*, 452 N.Y.S.2d 599, 600 (1st Dep’t 1982)); see *New Orleans Jazz And Heritage Foundation, Inc. v. Kirksey*, 40 So. 3d 394, 405 (La. Ct. App. 2010) (“[C]onversion consists of an act in derogation of the plaintiff’s possessory rights, and any wrongful exercise or assumption of authority over another’s goods, depriving him of the possession, permanently or for an indefinite time ...”). Conversion requires a plaintiff to have “ownership, possession or control of the money” before its conversion. *Id.* (quoting *Aramony v. United Way of Am.*, 949 F. Supp. 1080, 1086 (S.D.N.Y. 1996)).

My client has other claims against Cash Money Records and at this time the sum of \$200,000.00 is demanded before May 31, 2015. Failure to comply will result in litigation on all claims available to Develop. If you have any questions, do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Brown', written over a horizontal line.

Christopher Brown

EXHIBIT D

From: Edward Grauer [mailto:egrauer@egrauerlaw.com]
Sent: Monday, June 15, 2015 3:00 PM
To: Christopher Brown <cbrown@brownrosen.com>
Cc: jdd@jddavispc.com
Subject: RE: Develop/Cash Money

Chris,
I'm working on getting this paid ASAP.
Ed

Edward R. Grauer, Esq.
Law Office of Edward R. Grauer, P.C. | 1755 Broadway, 21st Floor, New York, NY 10019
Tel: 212.841.5142 | cel: 917.304.7584 | Email: egrauer@egrauerlaw.com

From: Christopher Brown [mailto:cbrown@brownrosen.com]
Sent: Monday, June 15, 2015 2:50 PM
To: Edward Grauer
Cc: jdd@jddavispc.com
Subject: RE: Develop/Cash Money

Ed:

I have offered as much time as I can. You have no responded to the letter and no payment has been received.

Christopher Brown, Esq.
Managing Member
Brown & Rosen LLC
Attorneys At Law
100 State Street, Suite 900
Boston, MA 02109
617-728-9111 (T)
617-695-3202 (F)
www.brownrosen.com

From: Christopher Brown [mailto:cbrown@brownrosen.com]
Sent: Wednesday, June 10, 2015 12:33 PM
To: 'Edward Grauer'
Cc: 'jdd@jddavispc.com'
Subject: RE: Develop/Cash Money

Ed?

Christopher Brown, Esq.
Managing Member

Brown & Rosen LLC
Attorneys At Law
100 State Street, Suite 900
Boston, MA 02109
617-728-9111 (T)
617-695-3202 (F)
www.brownrosen.com

From: Edward Grauer [<mailto:egrauer@egrauerlaw.com>]
Sent: Tuesday, June 2, 2015 11:41 AM
To: Christopher Brown
Cc: jdd@jddavispc.com
Subject: RE: Develop/Cash Money

I have had a death in my family. Please give me a few more days.

Edward R. Grauer, Esq.
Law Office of Edward R. Grauer, P.C. | 1755 Broadway, 2nd Floor, New York, NY 10019
Tel: 212.841.5142 | cel: 917.304.7534 | Email: egrauer@egrauerlaw.com

From: Christopher Brown [<mailto:cbrown@brownrosen.com>]
Sent: Tuesday, June 02, 2015 11:40 AM
To: Edward Grauer
Cc: jdd@jddavispc.com
Subject: RE: Develop/Cash Money

Edward:

I assume that this point that the invoice your client requested will not be paid. Nor did I receive a response to the demand letter.

Regards,
Chris

Christopher Brown, Esq.
Managing Member
Brown & Rosen LLC
Attorneys At Law
100 State Street, Suite 900
Boston, MA 02109
617-728-9111 (T)
617-695-3202 (F)
www.brownrosen.com

From: Christopher Brown [<mailto:cbrown@brownrosen.com>]
Sent: Friday, May 29, 2015 4:10 PM
To: 'Edward Grauer'
Cc: 'jdd@jddavispc.com'
Subject: RE: Develop/Cash Money

Ed:

What is the status?

Thanks
Chris

Christopher Brown, Esq.
Managing Member
Brown & Rosen LLC
Attorneys At Law
100 State Street, Suite 900
Boston, MA 02109
617-728-9111 (T)
617-695-3202 (F)
www.brownrosen.com

From: Edward Grauer [<mailto:egrauer@egrauerlaw.com>]
Sent: Thursday, May 21, 2015 11:47 AM
To: Christopher Brown
Cc: jdd@jddavispc.com
Subject: RE: Develop/Cash Money

Thanks Chris. I'll discuss with Baby ASAP.

Ed

Edward R. Grauer, Esq.
Law Office of Edward R. Grauer, P.C. | 1755 Broadway, 2nd Floor, New York, NY 10019
Tel: 212.841.5142 | cel: 917.304.7584 | Email: egrauer@egrauerlaw.com

From: Christopher Brown [<mailto:cbrown@brownrosen.com>]
Sent: Thursday, May 21, 2015 11:42 AM
To: Edward Grauer
Cc: jdd@jddavispc.com
Subject: Develop/Cash Money

Ed and Jonathan:

Per Baby's request to my client as of yesterday, please find an invoice for the \$200,000.00.

Regards,
Chris

Christopher Brown, Esq.
Managing Member
Brown & Rosen LLC
Attorneys At Law
100 State Street, Suite 900
Boston, MA 02109
617-728-9111 (T)
617-695-3202 (F)
www.brownrosen.com